

**SENATE AND HOUSE  
JOINT JOURNAL SUPPLEMENT**

---

**February 10, 2010**

**Wednesday**

**No. 12**

---

**\* \* \* \* \***

**State of the Judiciary Address**

**by**

**The Honorable Walter Carpeneti**

**Chief Justice**

**Alaska Supreme Court**

**Before a Joint Session**

**of the**

**Second Session of the**

**Twenty-Sixth Alaska State Legislature**

**\* \* \* \* \***

**February 10, 2010**

**Juneau, Alaska**



**The following was submitted for publication:**

President Stevens, Speaker Chenault, Senators and Representatives, and guests. Thank you very much for the invitation to speak to you today. On behalf of all of us in the Alaska Court System, I am very grateful for the opportunity to carry on the 38-year tradition of the State of the Judiciary address. I have served as Alaska's Chief Justice for barely seven months, but in that time I've come to realize what an important opportunity this is. As separate branches of government, the legislature and judiciary are given different responsibilities by our state constitution under a system of checks and balances that builds a natural tension into our relationship. Yet while we each guard our independence and integrity carefully, as we should, our constitution contemplates also that we will work cooperatively to solve the problems facing the people of Alaska. We have a long and proud tradition of doing this, which grows stronger each year as the challenges we face become more complicated. In honor of this growing tradition, I would like to focus my remarks today on our interdependence — the interconnectedness between the three branches of government that calls us all to work together, not in isolation — as we each do the best that we can to meet our respective responsibilities.

At the outset, I would like to acknowledge my colleagues on the supreme court. As you may know, the year 2009 was one of significant change for the court, as we marked the retirements of two long-time distinguished colleagues, Justice Warren W. Matthews and Justice Robert L. Eastaugh, and welcomed with great excitement two remarkable new colleagues, Justice Morgan Christen and Justice Craig Stowers.

Justice Stowers was appointed to the court just two months ago by Governor Sean Parnell. He previously served as a Superior Court Judge in Anchorage and an attorney in private practice. He hails

## **SENATE AND HOUSE JOINT JOURNAL SUPPLEMENT**

**No. 12**

**February 10, 2010**

originally from Virginia and first came to Alaska to work as a ranger at Mt. McKinley National Park before earning his law degree. He and his wife live in Anchorage.

Justice Christen was appointed to the court in March 2009 by Governor Sarah Palin. She previously served on the Anchorage Superior Court, including several years as Presiding Judge of the Third Judicial District. She was an attorney in private practice before joining the judiciary. Always active in the community, she is a past recipient of the supreme court's Community Outreach Award and the Anchorage Chamber of Commerce's Athena Award. She and her husband live in Anchorage, where they are raising two daughters.

Justice Daniel Winfree of Fairbanks was in private practice when appointed by Governor Sarah Palin in 2007; he just completed his second year on the court. He chairs the supreme court's Access to Civil Justice Committee, which focuses on removing barriers to justice delivery, improving services to self-represented litigants, and expanding pro bono services offered by the legal community. This year, he co-chaired the legal community's first ever Martin Luther King Day service project, in which over 110 volunteers staffed free legal clinics in Anchorage and Juneau that served over 200 Alaskans.

Finally, I would like to introduce the court's most senior member, Justice Dana Fabe, who probably needs no introduction here. Justice Fabe was appointed to the supreme court by Governor Tony Knowles in 1996. She came to Alaska as a law clerk to Justice Edmond Burke of our court in 1976, then served as Public Defender for Alaska and as a Superior Court Judge in Anchorage before her appointment to this court. She has served two terms as chief justice and has appeared before you many times in that capacity. Her wealth of experience is a tremendous asset to the court, and I would like to take this opportunity to recognize her for her years of leadership and service.

Next, I'm really pleased to recognize the leaders of the court's administrative staff. Administrative Director Christine Johnson has worked for the court system for over twenty years, but assumed her current role as director just last fall. In a short time, she has demonstrated a strong command of the job, thanks to her broad knowledge of the workings of the court and her remarkable administrative skills. Deputy Director Chris Christensen — whom most of you know well — serves as the court's chief liaison to the legislature, and this year marks his 20th anniversary in the position. Finally, the other member of our team in Juneau, Administrative Attorney Doug Wooliver, also spends legislative sessions here working with many of you on substantive legislation that impacts our courts. As many of you know, Chris and Doug are not only a great team but a great resource to all of us.

I would now like to return to the theme of my remarks today, which is inter-branch cooperation. In the 19th century, when Lord Acton made his famous statement, "Power tends to corrupt, and absolute power corrupts absolutely," the State of Alaska did not exist. But the concept must have resonated with the founders of our state, because separation of powers is embedded in our Constitution — our founding document — as a bulwark against the corrupting influence of absolute power. As every 6th-grade civics student knows, the legislative branch was empowered to enact the laws, the executive branch was empowered to implement and enforce them, and the judicial branch was empowered to interpret them and to resolve disputes concerning them. This three-branch structure is the cornerstone of our democracy. By requiring that power be shared, it helps ensure that a broad range of perspectives will be brought to bear on the problems of the day. And it requires that responsibility for these problems be shared as well. Against this background, there can be no question that the framers of Alaska's

## **SENATE AND HOUSE JOINT JOURNAL SUPPLEMENT**

---

**No. 12**

**February 10, 2010**

Constitution expected the three branches to interact in the business of government. No branch has the power to succeed in isolation. As the philosopher John Donne might have said, no branch is an island unto itself.

Balancing the independence of the branches with the need for them to work together, our founders established a number of intricate interrelationships that are by now familiar to all of us. For example, the supreme court adopts rules of court but the legislature can revise them with a 2/3 majority vote. The executive branch adopts administrative regulations pursuant to statutes that the legislature enacts, but the court can overturn regulations that exceed the scope of their authorizing legislation. The supreme court can decide that a statute is unconstitutional, but the legislature can either adopt a modified version or seek a change in the constitution itself. And of course the supreme court can propose a budget for the court system, but only the legislature can enact it. All of these relationships, and others, reflect the interplay our founders envisioned and have helped keep our respective institutions dynamic and responsive to those we serve.

Yet despite this constitutional framework, in the real world interactions between the judiciary and other branches of government can be difficult because of other factors that come into play. The judicial branch is often referred to as the quiet branch. Even though more people probably enter our doors each year than the other branches combined, we are sometimes seen as aloof and unresponsive. Why is that? Perhaps because judges are ethically barred from commenting publicly on pending cases, and this is misinterpreted as a lack of interest or accountability. Perhaps because — unlike the other two branches, which should be highly responsive to the people — judges must not be influenced in our decisions by political pressure or public opinion, but must be bound instead by the facts and the law of each case. Perhaps because our utmost responsibility is to be fair and

impartial to everyone who comes before us, and we cannot say or do things that would create even the appearance that we are beholden to one side over the other. All of these concerns are not just legitimate, but critical to an independent judiciary. There are very good reasons for judicial silence, because it ensures that cases are litigated in courtrooms only, not in media studios or on social networking sites. There are very good reasons to focus on the facts and the law: Centuries of jurisprudence fill our law libraries, and years of precedents — not the trends of the moment — must guide our decision-making. And there are very good reasons to guard against bias: Lady Justice, the traditional symbol of what courts aspire to, wears a blindfold and holds a scale so that everyone who comes before her will be treated equally. The judiciary has a unique role that must protect these values, and we must assess opportunities for inter-branch communication and collaboration with these considerations in mind.

But while these limitations may shape the nature of the judiciary's involvement in inter-branch problem-solving, they by no means preclude it. Those who work in the court system are intimately familiar with many of the problems confronting the citizens of our state. We see them, day in and day out, in our courtrooms. We are also intimately familiar with the impacts these problems have on individuals, families, neighborhoods, and communities, and we are committed to doing our part, within the limits of our judicial role, to address them. And so today I would like to share with you several ways in which the judiciary is engaging with the other branches in real-world efforts to improve our justice system.

For the past two years, I've been very privileged to serve as Co-Chair of the Criminal Justice Working Group, which was organized by then-Chief Justice Fabe, and funded by the legislature, to bring together all the decision-makers in the criminal justice system — executive branch commissioners and directors along with representatives of the judicial branch — to address mutual concerns. Originally my co-chair was

## **SENATE AND HOUSE JOINT JOURNAL SUPPLEMENT**

---

**No. 12**

**February 10, 2010**

then-Lieutenant Gov. Sean Parnell, and now the committee is co-chaired by Attorney General Dan Sullivan. Other members of the group include those we would traditionally expect, such as the heads of prosecution and defense agencies (Deputy AG Rick Svobodny, Public Defender Quinlan Steiner, and Public Advocate Rachel Levitt), along with Commissioner of Corrections Joe Schmidt, Commissioner of Public Safety Joe Masters, and the court's Christine Johnson and Chris Christensen. But they also include the leaders of agencies that were traditionally viewed as outside of the administration of criminal justice, such as Commissioner Larry LeDoux of the Department of Education and Early Development, Commissioner Bill Hogan of the Department of Health and Social Services, the Directors of both the Division of Juvenile Justice and the Division of Behavioral Health, Steve McComb and Melissa Stone, and the Director of the Mental Health Trust Authority, Jeff Jessee. Increasingly, these agencies are key players in the state's efforts to reduce crime and the devastation crime causes. Without the educational and treatment services they provide, many effective programs within the criminal justice system would not exist.

The mission of the Criminal Justice Working Group is taken directly from Alaska's Constitution: "Criminal administration shall be based upon the following: the need for protecting the public, community condemnation of the offender, the rights of victims of crimes, restitution from the offender, and the principle of reformation." The group has become an incredibly effective forum for state leaders to address these constitutional concerns in cooperative fashion. We meet about eight times a year, and although all members are very busy people with many conflicting demands on their time, attendance is always high. I believe this reflects how effective we have been at resolving problems, both large and small. Members participate because they know we can achieve results, and it is worth their time. I'd like to share a few examples of the group's achievements with you today.

## **SENATE AND HOUSE JOINT JOURNAL SUPPLEMENT**

**February 10, 2010**

**No. 12**

The first example concerns the working group's Efficiencies Committee, chaired by Christine Johnson, which has found that correcting small problems that create unnecessary friction in the system can have a wide positive impact. For many years, attorneys encountered difficulties contacting their clients at the Anchorage jail because private meeting space was in short supply and phone access was limited. To avoid the bottlenecks at the jail, attorneys would sometimes request court hearings — even though their main purpose was having their client transported from the jail to the courthouse to communicate with the client. It is vitally necessary for attorneys to have contact with their clients, but these hearings created an impact far beyond the attorney-client relationship. Jail staff had to arrange for prisoner transport, law enforcement officers had to actually transport the prisoner, court personnel had to schedule and staff the hearings, and judges had to find time in their crowded calendars for hearings that might have been avoided. Once the problem was raised at the Criminal Justice Working Group, the interested parties met at the jail to try to resolve it. Now an additional phone line has been added, and the group is also looking at the possibility of finding additional conference space. By making a small change, the group helped address a large problem.

Three other Efficiencies Committee initiatives show similar promise. A project to facilitate the electronic exchange of discovery in criminal cases would allow the prosecution and defense to obtain required information much more quickly. A pilot program to implement a short form for presentence reports would significantly ease the burden on probation officers in appropriate cases and reduce delay in sentencing; the judges, prosecutors, and public defenders in Kenai have volunteered to implement it. And an Anchorage program to improve felony case flow management through new pre-trial procedures, a more restrictive continuance policy, and ongoing case monitoring, is showing positive results.

## **SENATE AND HOUSE JOINT JOURNAL SUPPLEMENT**

---

**No. 12**

**February 10, 2010**

All of these undertakings seek to reduce unnecessary delays in criminal cases and the high costs that follow. While not glamorous, these steps are vitally important to the justice system's ability to serve the public well. As caseloads rise, all of the agencies involved recognize that we must use our limited resources as wisely and efficiently as possible, and that we must coordinate to the extent that we can.

While the Efficiencies Committee works on smaller, discrete problems, a second working group committee attacks broader challenges facing the criminal justice system. Probably no problem is of greater concern to us at this time than the alarmingly high rates of recidivism in our state. Fully 66% of offenders — two-thirds of those incarcerated — will reoffend and return to jail at some point in their lives. This is an astounding number, and one that must motivate all of us to examine what causes so many Alaskans to spend their lives cycling in and out of the criminal justice system. Corrections Commissioner Joe Schmidt chairs the working group's Prevention and Recidivism Committee. He estimates that at our current rates of recidivism, we will be faced with ever-increasing prison populations that will demand a new correctional facility — at a cost of hundreds of millions — about every ten years, just to keep pace. Obviously, we must do better. We are trying, in several ways.

First, with the help of the Alaska Judicial Council and the University of Alaska's Institute of Social and Economic Research, the Prevention and Recidivism Committee has initiated a complete inter-agency review of crime prevention and recidivism reduction programs that you funded last year. Through this recidivism monitoring project, we are creating a database to concretely measure the effectiveness of various programs. With solid data about actual outcomes, we can learn what methods work to reduce recidivism, and — perhaps even more importantly — learn how and why they work. With this information, you can make future policy decisions based on hard evidence.

Second, we recently established the Alaska Offender Re-Entry Task Force to explore ways to better ensure that offenders return successfully to their communities after serving time in jail. Many offenders released from incarceration have little or no family support or other resources in the community for things like housing, employment, or maintaining sobriety. Because of this, many lapse quickly into the criminal behaviors that caused them to be jailed in the first place. Studies suggest that the first two days after release are the most critical for those in re-entry. Given the narrowness of this window, inmates must be as prepared as possible *before* their release. Seeing this, the court system began the “Success Inside and Out” program three years ago at Hiland Mountain Correctional Center in Eagle River under the leadership of Justice Fabe. Two years ago, under Superior Court Judge Tricia Collins, a similar program was begun at Lemon Creek Correctional Center here in Juneau. These programs draw on the entire community: Business leaders and prospective employers come out to the jails to lead panels on how to use prison programs to prepare for jobs, how to interview for a job, even how to dress for the job interview. Community volunteers conduct sessions on all kinds of life skills needed to make it outside the prison walls. Any and all help from the community is valued. Believe me — if they can use someone as fashion-illiterate as I to be a fashion-show runway commentator on the program illustrating how to dress — and how not to dress — for a job interview — then ANYone can help! I invite each and every one of you to consider coming out to one of the “Success Inside and Out” programs, either to participate or just to observe. I believe that you will be inspired by how much community support means to people trying to get their lives back on track. The new task force will carry this work on and try to implement such programs statewide. In today’s world, we cannot measure our success in criminal justice solely by how well we hold people accountable for past crimes; we must also consider how well we help them prepare to avoid criminal conduct in the future.

## **SENATE AND HOUSE JOINT JOURNAL SUPPLEMENT**

---

**No. 12**

**February 10, 2010**

A third initiative focuses on reducing the number of probation violations, which bring many offenders back to jail for violating the terms of their court-ordered release. About 233 petitions to revoke probation are filed each month in Anchorage alone. Currently, it can take up to 90 days to process a probation violation in Alaska, during which time an offender can escape accountability for non-compliance and continue behaviors that often lead to further offenses. But under an innovative program from Hawaii called Project Hope, swift and certain consequences are imposed for minor, non-criminal violations such as missed appointments or missed drug tests. This has significantly reduced the number of probation violations and the resources required to process them. Even more importantly, clear and timely consequences help keep probationers on the straight and narrow path laid out for them by the justice system to ensure their success outside jail. We are only beginning to explore this program for possible implementation in Alaska, but we are optimistic about the promise it holds.

The recidivism monitoring project, the re-entry task force, and the effort to reduce probation violations are but three of the group's ideas for combating recidivism. Our high recidivism rates show that what we have done in the past is not working, and that we must try different approaches. I've never been part of any governmental group that was more committed, knowledgeable, or determined to succeed, and I'm confident that we will make great progress.

Of course, reducing recidivism goes hand in hand with another goal of our criminal justice system: preventing crime altogether. It is important to remember that the citizens of Alaska look to us to not only respond to the crimes that occur, but to prevent the crimes that can be prevented. Certainly the greatest gift we could give to victims would be to take away the crime that caused their suffering. When we can't do that, we must do what we can to keep others from experiencing the same fate. It would be easy to despair that we are

## **SENATE AND HOUSE JOINT JOURNAL SUPPLEMENT**

---

**February 10, 2010**

**No. 12**

powerless to achieve any meaningful level of prevention, given alarming crime rates that top the nation in several categories. But the Criminal Justice Working Group has reason for optimism.

Studies increasingly show that early intervention in the lives of at-risk young people can be extremely cost-effective, and that a dollar invested in youth-oriented programs can result in many dollars of savings over time to the criminal justice system. A number of existing youth intervention programs have proven highly effective at teaching young people positive life lessons. These include programs to suppress gang-related activity among teen-agers, programs to reduce middle school and high school truancy and improve graduation rates, and programs that prepare pre-schoolers to succeed in our educational system. Last year, the legislature supported several such programs and we are hopeful that through the working group's monitoring efforts we can soon report measurable progress.

The Alaska Court System has long been involved in reaching out to young people by promoting law-related education and career development. We help schools celebrate Law Day and Constitution Day. We sponsor professional development conferences for teachers on educating for citizenship. We invite students of all ages to visit our courthouses for tours and mock trials. We provide vital support to our state's youth courts. Two years ago we experimented right here in Juneau with taking the supreme court itself into the schools when we held oral argument in two cases at Juneau-Douglas High School. The experiment was a success, and we have now launched Supreme Court LIVE, which will bring oral arguments to local high schools on a regular basis, beginning next week at West High in Anchorage before an audience of 500 students from schools all over the city. And for the 8th year, the court system will co-sponsor Color of Justice, a summer conference to promote diversity in the legal profession and judiciary that has reached over 700 diverse youth since its inception. Although these youth programs to date have been court system programs, we

## **SENATE AND HOUSE JOINT JOURNAL SUPPLEMENT**

---

**No. 12**

**February 10, 2010**

would welcome the opportunity to work with the legislative and executive branches on these and similar programs that not only help students understand their government, but give them good role models and healthy lessons as they prepare to enter adulthood. The poet Robert Frost famously wrote about coming to a fork in the road on a snowy evening, and turning in a direction that made all the difference. When we invest in youth intervention, we help young people turn in the right direction, for both their benefit and our own.

In these and other ways, the Criminal Justice Working Group has demonstrated an unprecedented level of collaboration and cooperation over the past two years, and presents an excellent model for what can be achieved when the branches work together. If there is any single message I hope you will take away from today's address, it is this: that fostering opportunities for high-level inter-branch communication and collaboration is an investment that will return ten-fold. I would like to thank the legislature for its vision and foresight in funding the working group's research. With you as our partner, I'm confident that we can continue to make great strides.

Of course, ongoing communication and cooperation are important outside the criminal justice context as well. This was illustrated recently when representatives from the three branches met to explore serious concerns about the processing of Child in Need of Aid cases and the related provision of services to families in the Bethel region. Presiding Judge Douglas Blankenship of the 4th Judicial District and other court staff were invited to meet with Health and Social Services Commissioner Hogan and several legislators, including Senators John Coghill and Lyman Hoffman, and Representatives Nancy Dahlstrom, Wes Keller and Bob Herron, to explore solutions. Headway was made against long-standing problems that had seemed intractable, and the important conversation continues. Even though we represent the quiet branch, we are committed to keeping the doors of inter-branch communication and collaboration open, and we appreciate the opportunity to work with you to improve the administration of justice.

Towards this end, the Alaska Court System is working on other projects this year to improve inter-branch communication and understanding. At the suggestion of Rep. Paul Seaton, we are planning an educational brown bag lunch series for legislators, which will feature presentations by local judges and attorneys on a variety of legal concepts. These mini law seminars will address topics identified by you as particularly helpful to your work crafting the laws of our state. It is our hope that they will also help members of the judiciary learn more about the legislative process — a process that can seem as mysterious to us as the legal process must sometimes seem to you. As someone who has spent many hours of my judicial career sifting through haystacks of legislative history searching for the needle of legislative intent, I very much look forward to these sessions and am confident that they will be mutually beneficial.

Also, for the first time this year, we will hold our annual fall judicial conference in conjunction with the annual educational conferences of the state's prosecutors and defense attorneys. For many years, these three conferences were held at separate times each October, causing disruption of the criminal calendar for almost a month every year. Separate conferences gave judges and attorneys no opportunity to interact and learn together, or even to interact at meals or other down time — all of which promote collegiality and help build the cooperative relationships that can be invaluable to resolving issues of mutual concern. Separate conferences also meant that limited resources for education were not being shared, and that excellent presenters were not available to everyone who might have benefitted from their expertise. This year, with the active support of Deputy Attorney General Rick Svobodny, Public Defender Quinlan Steiner, and Public Advocate Rachel Levitt, we have coordinated the conferences to fall within the same week, and we have planned a full day of shared seminars and workshops. This may seem like a small step, but it is a huge leap forward in my opinion. Prosecutors, defense attorneys, and judges labor under very different responsibilities, in an

## **SENATE AND HOUSE JOINT JOURNAL SUPPLEMENT**

---

**No. 12**

**February 10, 2010**

adversarial system that inevitably causes friction between them, day in and day out. To be willing to meet together and learn together reflects an understanding that, despite our differences, we all serve the same criminal justice system, and we all have a stake in how successfully it meets its mission.

My experiences with inter-branch communication and cooperation give me great hope for the future of our justice system. Instead of turf wars, I've found a universal eagerness to work together to fix problems. Instead of unilateral action, I've found an abiding commitment to collaborative solutions. Alaskans are very fortunate to have leaders who are willing to come to the table with such a clear sense of shared purpose. It is a true privilege to work together with the people I've mentioned today and others.

So far, I've spoken about the constitutional structure for inter-branch cooperation, and I've spoken about inter-branch cooperation in the real world. Now I would like to touch on a third aspect of inter-branch cooperation — the importance of each branch fulfilling the role it is expected to perform. I'm happy to report that the judicial branch is working hard to meet the justice needs of Alaska's citizens, and in so doing continues to fulfill its obligations as the third branch of government.

But before I talk further about the courts, I would like to recognize another entity within the judicial branch that is critical to the successful operation of our justice system but that does not, I believe, receive the credit it deserves: the Alaska Judicial Council. As you know, the judicial council is a constitutionally-created, independent citizen's commission charged with two critical duties, among others: first, evaluating applicants for judicial office and nominating the most qualified to the governor for appointment, and, second, evaluating the performance of judges standing for retention and then issuing recommendations on retention to the voters either that they be retained

or not retained based on their performance in office. As a member of the council for the past seven months, I can speak first hand to the tremendous amount of work that these citizens perform, almost entirely on weekends and even holidays. Thick packets of documents for each judicial candidate must be read and understood, interviews conducted all over the state — we travel soon to Kotzebue to interview candidates for the superior court position there — public hearings held, deliberations undertaken, and important decisions made all with fairness, impartiality, and a commitment to ensuring the highest standards of excellence on the bench. Members of the council are unpaid, and they volunteer hundreds and hundreds of hours to the painstaking process, and as a result Alaskans enjoy one of the finest and most accountable judiciaries in the world. I would like to take this opportunity to formally recognize the members of the council and thank them for their dedication to what is often a misunderstood and unheralded task. The three lay members of the council are Christena Williams, a long-time newspaper editor and publisher from Ketchikan, who was appointed by Governor Frank Murkowski in 2005; William Clarke, a retired pilot and engineer from Anchorage who was appointed by Governor Sarah Palin in 2008; and Kathleen Tompkins-Miller, a teacher and paralegal from Fairbanks who was appointed by Governor Palin in 2009. The three attorney members of the council, elected by the members of the Alaska Bar Association, are: James Cannon of Fairbanks, Kevin Fitzgerald of Anchorage, and Louis Menendez of Juneau. The Council, which also performs all the staff work for the Criminal Justice Working Group, is ably headed by Executive Director Larry Cohn. On behalf of our justice system, I extend heartfelt thanks to the members and staff of the council.

Turning now to the numbers: As you know, the judicial branch is a very small branch of our state government, accounting for only about 1% of the state's annual budget. We have 800 employees statewide, in 44 locations, and we handle over 150,000 cases a year. A few comparisons with the federal system help put the numbers in

## **SENATE AND HOUSE JOINT JOURNAL SUPPLEMENT**

**No. 12**

**February 10, 2010**

perspective. The U.S. Supreme Court has nine justices and issues an average of 77 opinions each year, or just under nine per justice; the Alaska Supreme Court has five justices and currently issues an average of 110 opinions, or 22 per justice. The Alaska Court of appeals, our intermediate court for criminal cases, has three judges and issues an average of 65 opinions per year, also about 22 per judge. So, at the appellate level, our output is about twice our federal counterparts. Turning to the trial court level, the picture is similar: An Alaska Superior Court judge handles about 500 cases per year, whereas caseloads for federal District Court judges in Alaska average around 200 cases each year. Many years ago, a federal judge here who had previously served on state superior court remarked, “in state court I had more cases and fewer resources,” and he estimated that the state caseload “would be about double” that of a federal judge. It’s clear from today’s case numbers that his estimate is still just right. Even accounting for the differences in the weight and complexity of the cases, it’s clear that the judges and staff of the Alaska Court System are working very hard.

And now let’s consider numbers in a different way — not in terms of gross totals but in terms of odds — because I think they can tell us something about quality. Alaska has less than 700,000 citizens, and our country has over 308 million. What are the chances that Alaska might produce a national leader in a justice organization? Or two leaders? Or more? Well, ladies and gentlemen, I am extremely proud to tell you that the president of the National Association of Women Judges is our own Justice Fabe, that the immediate past president of the national Conference of State Court Administrators is our own Stephanie Cole (who stepped down as our Administrative Director in August), that the incoming president of the National Conference of Appellate Court Clerks is our own Clerk of the Appellate Courts Marilyn May, and that the president of the National Association of Law Librarians is our own State Law Librarian Catherine Lemann. For good measure, the Chair of the National Center for State Courts’

Consortium for Language Access to Courts is our own Resource Development Officer, Brenda Aiken. I'm not a statistician, but I'm struck by how completely unlikely it is that a state with fewer than 700,000 people in a country of over 300 million would contribute even *one* person to a prominent national judicial leadership position, much less *five* in the space of a single year. The achievements of these accomplished leaders underscore something I've long believed about the Alaska Court System: We have extremely qualified and capable people who bring high standards of excellence to the work they do. Their efforts and skill benefit not only our state, but our nation, and I would like to take this opportunity to thank them, and because their achievements would be impossible without the talents and dedication of all of the employees of the court system who work hard, every day, to deliver justice services to Alaskans, I extend my thanks to them as well.

Thank you for this opportunity to speak with you, for your kind attention today, and for your support of the court system in the past. Our constitutional roles may sometimes bring us into conflict, but our constitutional duties also require that we work together for the benefit of all Alaskans, and we have a rich tradition of doing so. I hope that it will continue. I pledge to you that the Alaska Court system is committed to working to that end.

Thank you.

**Please report corrections to the Senate Secretary's office.**